

REMARKS

Claims 1-44 were pending in the present application. The Examiner rejected Claims 1-44. Claims 2, 5, 9, 10, 21, 23-37, 39, and 42-44 have been canceled without prejudice. Claims 45-51 have been added. Accordingly, Claims 1, 3, 4, 6-8, 11-20, 22, 38, 40, 41, and 45-51 are currently pending and believed to be in condition for allowance.

In light of the remarks provided below, reconsideration of the application and allowance of all claims as currently presented is respectfully requested.

Objection to the specification

The Examiner has objected to the specification, stating that the first paragraph requesting priority to the earlier filed application was inappropriate in that the earlier filed application was not copending with the present application. Applicants intend to petition for revival of the earlier filed application, but have amended the specification to delete the reference to the earlier filed application until such time as the petition for revival of the earlier application is granted.

§102 Rejection of Claims 1-44

The Examiner has rejected Claims 1-44 under §102(b) as being anticipated by Parasnis, et al. (hereafter referred to as "Parasnis"). Applicant respectfully traverses the Examiner's rejection for at least the following reasons. Other additional reasons also may exist, but are moot in light of the reasons provided.

Parasnis discloses a system in which a user defines "special wishes regarding content of information, and based on those wishes, information is shown automatically when one is approaching a certain point." However, Parasnis does not teach or suggest notifying a second user when that second user approaches a location at which the user-specified criteria can be met, as recited in the claims as amended and supported in the originally filed specification. For example, at page 11, paragraph 50, the specification recites that an "account may be associated with a family comprised of several users, with some having access to all of the data and other users having access to only a subset of the data. An authorized user can preferably access the data using any of the nodes of the computer network 102, which are configured to download the data over the network 102." In addition, the originally presented claims refer to the fact that a first node could be used to enter information and a second node could then alter the information. Claim 22, for example, as originally presented recites making data available only to a node

operated by an authorized user. In any event, the fact is clear that a first user could input information and the location of a second user could trigger a notification to the second user regarding information input by the first user. This aspect of the presently claimed invention is neither taught nor suggested by Parasnis or any of the other references relied upon by the Examiner in rejecting the claims as originally presented in the current patent application.

Applicant has also added additional claims. These additional claims are directed to providing an appliance with a device capable of monitoring conditions related to the appliance and communicating user-specified criteria in response to the monitored conditions. A user or multiple authorized users are tracked to monitor their location. When an authorized user is near a location at which the user-specified criteria can be met, that user is notified. Support for such claims is provided in the originally filed application.

The Examiner has rejected Claims 1-44 under §102(b) as being anticipated by Phelan. Applicant respectfully traverses the Examiner's rejection for at least the following reasons. Other additional reasons also may exist, but are moot in light of the reasons provided. Phelan neither teaches nor suggests having a first user input a user-specified criteria and notifying a second user if the second user is near location at which the user-specified criteria can be met. Neither does Phelan teach or suggest a system including an appliance capable of monitoring conditions relevant to the appliance and establishing user-specified criteria in response to the monitored conditions, as recited in the newly added claims.

The Examiner has rejected Claims 1-44 under §102(b) as being anticipated by Fujiwara, et al. (hereafter referred to as "Fujiwara"). Applicant respectfully traverses the Examiner's rejection for at least the following reasons. Other additional reasons also may exist, but are moot in light of the reasons provided.

Fujiwara discloses a system that displays pertinent information about destinations of interest based on the proximity of the destination of interest. However, in Fujiwara there is no ongoing monitoring and notification. Fujiwara merely discloses a user asking whether there are such destinations of interest, such as restaurants, in the range selected. This is based solely upon the current location of the user. In contrast, the presently claimed invention monitors the changing environment around the user as the user moves about and notifies the user when the user comes near a destination of interest so that the user can be alerted to the fact that the user is

close to a store that might have one of the items on the list of groceries, for example that the user might need to purchase. Furthermore, the user-specified criteria of the presently claimed invention is a complex query in which user-specified criteria are provided, such as a grocery list. The responding database then matches the user-specified criteria with those locations that the user is near, monitoring the user's location as the user moves about, and identifies locations at which the user-specified criteria can be met. Fujiwara neither teaches nor suggests the claimed monitoring.

The Examiner has rejected Claims 1-44 under §102(b) as being anticipated by Hollenberg. Applicant respectfully traverses the Examiner's rejection for at least the following reasons. Other additional reasons also may exist, but are moot in light of the reasons provided. Hollenberg neither teaches nor suggests having a first user input a user-specified criteria and notifying a second user if the second user is near location at which the user-specified criteria can be met. Neither does Hollenberg teach or suggest a system including an appliance capable of monitoring conditions relevant to the appliance and establishing user-specified criteria in response to the monitored conditions, as recited in the newly added claims.

The Examiner has rejected Claims 1-44 under §102(b) as being anticipated by Kinnunen, et al. (hereafter referred to as "Kinnunen"). Applicant respectfully traverses the Examiner's rejection for at least the following reasons. Other additional reasons also may exist, but are moot in light of the reasons provided. Kinnunen neither teaches nor suggests having a first user input a user-specified criteria and notifying a second user if the second user is near location at which the user-specified criteria can be met. Neither does Kinnunen teach or suggest a system including an appliance capable of monitoring conditions relevant to the appliance and establishing user-specified criteria in response to the monitored conditions, as recited in the newly added claims.

The Examiner has rejected Claims 1-44 under §102(b) as being anticipated by Johnson. Applicant respectfully traverses the Examiner's rejection for at least the following reasons. Other additional reasons also may exist, but are moot in light of the reasons provided. Johnson neither teaches nor suggests having a first user input a user-specified criteria and notifying a second user if the second user is near location at which the user-specified criteria can be met. Neither does Johnson teach or suggest a system including an appliance capable of monitoring conditions relevant to the appliance and establishing user-specified criteria in response to the monitored conditions, as recited in the newly added claims.

Attorney Docket No. 010124C1

Similarly, Chang, et al., Moore, et al, Ashmore, and Fraccaroli neither teach nor suggest the limitation of having more than one user input information which is used to determine whether to notify another user nor the limitation of having an appliance detect conditions that can be reported to a server that then notifies a user when the user can meet a user-specified criteria that is established in response to the determination made by the appliance.

In light of the foregoing, the Examiner's reconsideration of this application with a view toward allowance is respectfully requested. The Examiner is invited to call the undersigned agent if a telephone call could help solve any remaining items.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: December 1, 2004

By: 

Bruce W. Greenhaus, Reg. No. 37,339
Phone No. (858) 651-6399

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502